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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ERICK MICHAEL DRAKE,
Petitioner,
v.
WARDEN PHILLUP,
Respondent.

Case No. 2:23-cv-10251-JWH (RAO)

**ORDER ACCEPTING FINDINGS,
CONCLUSIONS, AND
RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

1 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all of the
2 records and files herein, and the Magistrate Judge's September 6, 2024, Report and
3 Recommendation ("Report"). The deadline for filing objections to the Report has
4 passed and no objections have been received. Accordingly, the Court hereby

5 **ORDERS** as follows:

6 1. The findings, conclusions, and recommendations of the Magistrate
7 Judge are **ACCEPTED** and **ADOPTED**.

8 2. The Petition is **DENIED**.

9 3. Judgment shall be entered **DISMISSING** this action **with prejudice**.

10 **IT IS SO ORDERED.**

11
12 DATED: December 30, 2024

13 
14 **JOHN W. HOLCOMB**
15 **UNITED STATES DISTRICT JUDGE**